

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Jason Gerhard,  
Petitioner

v.

Civil No. 11-cv-498-GZS

United States of America,  
Respondent

**O R D E R**

The Petitioner filed a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct the sentence ordered by the court following the petitioner's sentencing held on July 31, 2008, in United States v. Jason Gerhard, 07-cr-189-02-GZS. The court has reviewed the motion.

The court orders the United States Attorney to file an answer within sixty (60) days of the date of this order, which answer shall provide a detailed response, with appropriate references to the record when necessary, to each claim asserted by the movant.

In the event that the United States Attorney contends that the motion is not timely filed under the limitations provided for

in 28 U.S.C. § 2255 or that it is a second or successive motion, a motion to dismiss in lieu of a response shall be filed within thirty (30) days of the date of this order.

**SO ORDERED.**

/S/ Margaret J. Kravchuk  
Margaret J. Kravchuk  
United States Magistrate Judge  
Sitting By Designation

Date: November 7, 2011

cc: Jason Gerhard